

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.41131 of 2021**

Arising Out of PS. Case No.-51 Year-2021 Thana- CHAPRA MUFFASIL District- Saran

1. KRISHNA MURARI SINGH Son of Nawal Kishor Singh Resident of Village - Umdha, Police Station - Muffasil, District - Saran.
2. Praduman Kumar Son of Nawal Kishor Singh Resident of Village - Umdha, Police Station - Muffasil, District - Saran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

**Appearance :**

|                          |   |                              |
|--------------------------|---|------------------------------|
| For the Petitioner/s     | : | Mr. Ankur Prakash Sinha, Adv |
| For the Opposite Party/s | : | Mr. Bharat Bhushan, APP      |
| For the Informant        | : | Mr. Shyam Bihari Singh, Adv. |

**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA**  
**ORAL ORDER**

2      28-01-2022                      Heard Mr. Ankur Prakash Sinha, learned counsel for the petitioners, Mr. Bharat Bhushan, learned Additional Public Prosecutor for the State and Mr. Shyam Bihari Singh, learned counsel for the informant through video conferencing.

Petitioners seek regular bail in connection with Mufassil PS Case No. 51/2021 registered for the offence punishable under Sections 341, 323, 337, 338, 307, 504/34 of the IPC and 27 of the Arms Act.

As per First Information Report, the petitioners along with one another accused person arrived at the house of informant, abused his family members and assaulted father-in-law and mother-in-law of the informant and also did stone



pelting due to which, the informant and his son received injuries on their heads.

Learned counsel for the petitioner submits that the petitioners have falsely been implicated in this case due to land dispute between the family of petitioner and that of informant relating to construction of drainage near the house and the present case has been lodged by the informant as counter blast of Chapra Mufassil PS Case No. 52/2021 for an occurrence which took place on the same date and place and the counter case has been lodged by petitioner no.2 against the informant and others who, allegedly, fired upon the informant due to which the petitioner no.1 received fire arm injury in his finger and one passersby also received injury.

Learned counsel further submits that petitioners are in custody since 08.02.2021 having no criminal antecedent and the counter case lodged against the informant of the present case, Dharmendra Singh by petitioner no.2, the informant, Dharmendra Singh has been granted bail by a Co-ordinate Bench of this Court *vide* Cr. Misc. No. 45946/2021.

On the other hand, learned counsel for the informant opposes the prayer for bail and submits that there is allegation of assault and loot against the petitioners who entered into the



house of informant and committed robbery of silver, gold and cash from the house of the informant.

I have heard the learned counsel for the parties and upon perusal of the two FIRs, it appears that both the parties are neighbours, there is dispute regarding drainage between them, there is case and counter case lodged by both the parties and in the counter case lodged by petitioner no.2 against the informant of present case, Dharmendra Singh, he has been granted bail by the Co-ordinate Bench of this Court, no looted article has been recovered from the possession of petitioners and the petitioners are in custody since 08.02.2021 having no criminal antecedent, I am inclined to grant regular bail to the petitioners.

Accordingly, let the petitioners, namely, KRISHNA MURARI SINGH & PRADUMAN KUMAR be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-IX, Saran at Chapra in connection with Mufassil PS Case No. 51/2021.

**(Anil Kumar Sinha, J)**

perwez

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

